



Bret Randall
<randall@chapman.com>
>

12/06/2006 11:09 AM

To Robert Butts/TMS/R8/USEPA/US

cc Kevin R Murray <kmurray@chapman.com>, "Richard O. Curley, Jr." <rcurley@hollandhart.com>, Peggy Livingston/ENF/R8/USEPA/US@EPA, Kerry Gee

bcc

Subject Re: Richardson Flat Past Cost - Wire Instructions

So that I am clear, we are instructed to make payment as per the December 1, 2006 letter from Corrine A Christen (Attachment B) and the USDOJ will then send the funds to EPA for deposit into the special account?

We will proceed with the transfer.

Thanks for the clarification.

Bret Randall

On Dec 6, 2006, at 10:56 AM, Butts.Robert@epamail.epa.gov wrote:

Mr. Randall,

To reply with your question concerning payment into the special account.

Your note to Mark Elmer, USDOJ is correct. Sometimes the Superfund Special Account jargon can get a bit confusing. Once the cash (funds) is received by DoJ, then DoJ will send the funds to EPA who in turn will deposit the funds into a separate account to be managed for expenses explicitly related to the Site.

Wire instructions: TREAS NYC/CTR/BNF=DEPT OF JUSTICE/AC-15030001

R Jeffrey Butts, Accountant - 8-TMS-F

United States Environmental Protection Agency

999 18th Street Denver, Colorado 80202 303.312.6950 fax:
303.312.6684

Bret Randall

<randall@chapman.com>

12/06/2006
10:21 AM

To
Robert Butts/TMS/R8/USEPA/US
cc

Kevin R Murray
<kmurray@chapman.com>, "Richard O.
Curley, Jr."
<rcurley@hollandhart.com>

Subject
Fwd: Richardson Flat Past Cost -
Wire Instructions

Robert, thanks for getting back to me. Please review the attached and let us know how EPA would like to resolve these issues. We would prefer to have final, written wiring instructions from EPA that can be forwarded to the bank so there are no questions etc.

Thanks,

Bret Randall

Begin forwarded message:

From: Bret Randall <randall@chapman.com>
Date: December 5, 2006 11:33:14 AM MST
To: Mark Elmer <Mark.Elmer@usdoj.gov>, livingston.peggy@epa.gov
Cc: "Richard O. Curley, Jr." <rcurley@hollandhart.com>, Maureen O'Reilly
<oreilly.maureen@epa.gov>, hernandez.kathryn@epa.gov, Kevin R Murray <
kmurray@chapman.com>, Patrick S Malone <pmalone@chapman.com>
>

Subject: Richardson Flat Past Cost - Wire Instructions

Mark and Peggy:

EPA has sent us inconsistent written wire instructions for the payment under the Past Cost CD.

In the November 27, 2006 letter from Peggy to Kevin and Rich (attached), you indicated that the payment should be deposited in the Richardson Flat Tailing Site Special Account, Site Specific Identification Number 0894. This is consistent with our understanding of how the payment would be managed.

In the December 1, 2006 letter from Corrine A Christen to Kevin and Rich (also attached), the account is identified as: "TREAS NYC/CTR/BNF=DEPT OF JUSTICE/AC-15030001"

The money has been deposited in escrow for some time and we need to make the wire transfer immediately pursuant to the terms of the Consent Decree. However, we are confused about the wiring instructions and want to make sure the money ends up in the correct account (the Richardson Flat Special Account).

Please advise immediately.

Regards,

Bret Randall

[attachment "26147.pdf" deleted by Robert Butts/TMS/R8/USEPA/US]

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